

ACTION AGENDA

Monday, May 23, 2016

Worksession

Committee of the Whole

Regular Meeting

WORKSESSION AGENDA

1. CALL TO ORDER, 4:00 P.M.

Mayor Wythe called the meeting to order at 4:00 p.m.

Councilmembers Zak and Aderhold have requested excusal.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 5)

The agenda was approved by consensus of the Council.

3. STRATEGIC DOING – HEROIN/OPIOID EPIDEMIC

A. Updates

1. Treatment/Recovery
2. Reduction of Harm
3. Prevention

B. Visitor Dr. Michael Spigarelli, Professor of Pediatrics and Pharmacology, Expert on Drugs and Teen Brain Development, University of Utah

C. Next steps

1. Action plan for next 60 days
2. Milestone

4. COMMENTS OF THE AUDIENCE

5. ADJOURNMENT NO LATER THAN 4:50 P.M.

Mayor Wythe adjourned the meeting at 4:50 p.m.

COMMITTEE OF THE WHOLE AGENDA

1. CALL TO ORDER, 5:00 P.M.

Mayor Wythe called the meeting to order at 5:00 p.m.

Councilmembers Zak and Aderhold have requested excusal.

2. AGENDA APPROVAL (Only those matters on the noticed agenda may be considered, pursuant to City Council's Operating Manual, pg. 6)

The agenda was approved by consensus of the Council.

3. CONSENT AGENDA

4. REGULAR MEETING AGENDA

A. **Ordinance 16-26**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.043, Public Disclosure, to Require Elected City Officials to Disclose Each Business in Which an Immediate Family Member is a Partner, Proprietor or Employee. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

B. **Ordinance 16-29**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 16-10, the Completion of the 2016 Streets Repaving Project, Utilizing Homer Accelerated Roads and Trails (HART) Funds From 638,000 to \$562,506. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-090 from Public Works Director as backup.

C. **Resolution 16-057**, A Resolution of the Homer City Council Adopting an Americans With Disabilities Act Grievance Procedure. Aderhold.

5. COMMENTS OF THE AUDIENCE

There was one who commented.

6. ADJOURNMENT NO LATER THAN 5:50 P.M.

Mayor Wythe adjourned the meeting at 5:28 p.m.

REGULAR MEETING AGENDA

Session 16-11 a Regular Meeting of the Homer City Council was called to order on May 25, 2016 at 6:00 p.m. by Mayor Mary E. Wythe at the Homer City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska, and opened with the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS: LEWIS, REYNOLDS, SMITH, VAN DYKE

ABSENT: ADERHOLD, ZAK (both excused)

STAFF: CITY MANAGER KOESTER
ACTING CITY CLERK JACOBSEN
FIRE CHIEF PAINTER
HARBORMASTER HAWKINS

Department Heads may be called upon from time to time to participate via teleconference.

2. AGENDA APPROVAL

(Addition of items to or removing items from the agenda will be by unanimous consent of the Council. HCC 1.24.040.)

The following changes were made: ORDINANCES- Memorandum 16-092 from the City Manager as backup to Ordinance 16-30, Budget overhead allocation as informational to Ordinance 16-29, RESOLUTIONS- Memorandum 16-093 from the City Manager as backup to Resolution 16-063.

The agenda as amended was approved by consensus of the Council.

3. PUBLIC COMMENTS UPON MATTERS ALREADY ON THE AGENDA

There were five who commented.

4. RECONSIDERATION

5. CONSENT AGENDA

(Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on the Regular Meeting Agenda at the request of a Councilmember.)

- A. Homer City Council unapproved Regular meeting minutes of May 9, 2016. City Clerk. Recommend adoption.

- B. **Memorandum 16-080**, from Mayor Wythe, Re: Reappointment of Franco Venuti to the Planning Commission and to the Kenai Peninsula Borough Planning Commission.
- C. **Memorandum 16-089**, from Deputy City Clerk, Re: Liquor License Location Transfer for Homer Liquor and Wine Company.
- D. **Ordinance 16-24**, An Ordinance of the City Council of Homer, Alaska, Amending Title 5 to Add a New Chapter 5.44 to Prohibit the Extraction of Tetrahydrocannabinol ("THC") or Any Cannabinoid by Use of Materials or Methods Deemed Dangerous to Public Health and Safety, Unless Otherwise Permitted By Law. City Manager/Fire Chief. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-081 from Cannabis Advisory Commission as backup.
Memorandum 16-082 from Fire Chief as backup.

- E. **Ordinance 16-25**, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code 5.20.020, Open Burning - Permit Requirement, by Requiring a Permit to Burn Combustible Materials in an Approved Burn Barrel, and Amending Homer City Code 5.20.030, Trash Burning - Approved Container, by Requiring a Permit to Burn Trash in a Screen Covered Container or Other Trash Burner Approved by the Fire Chief. City Manager/Fire Chief. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-083 from Fire Chief as backup.

- F. **Ordinance 16-27**, An Ordinance of the City Council of Homer, Alaska Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$38,000 From Port and Harbor Reserves for the Deep Water Dock Uplands Improvements. City Manager/Port and Harbor Director. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-087 from Public Works Director as backup.

- G. **Ordinance 16-29**, An Ordinance of the City Council of Homer, Alaska, Amending Ordinance 16-10, the Completion of the 2016 Streets Repaving Project, Utilizing Homer Accelerated Roads and Trails (HART) Funds From 638,000 to \$562,506. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

Memorandum 16-090 from Public Works Director as backup.

- H. **Resolution 16-053**, A Resolution of the Homer City Council Awarding the Contract for Real Estate Broker Services to the Firm of Homer Real Estate of Homer, Alaska, for a

Period of Three Years With Option to Extend, Compensating the Broker 10% Commission Fee of Each Property the Broker Sells and Authorizing the City Manager to Execute the Appropriate Documents. City Manager. Recommend adoption.

- I. **Resolution 16-056**, A Resolution of the City Council of Homer, Alaska, Adopting Written Safety Policy for Employees and Contractors. City Manager/Personnel Director. Recommend adoption.

Memorandum 16-085 from Personnel Director as backup.

- J. **Resolution 16-057**, A Resolution of the Homer City Council Adopting an Americans With Disabilities Act Grievance Procedure. Aderhold. Recommend adoption.
- K. **Resolution 16-058**, A Resolution of the City Council of Homer, Alaska, Authorizing Participation in the Alaska Statewide Transportation Alternatives Program. Aderhold. Recommend adoption.

- L. **Resolution 16-059**, A Resolution of the Homer City Council of Homer, Alaska, Approving a Cooperative Agreement Between the Alaska Department of Fish and Game, Division of Sport Fish, and the City of Homer, Regarding the Fish Cleaning Table Renovation Project at the Nick Dudiak Fishing Lagoon. City Manager/Port and Harbor Director. Recommend adoption.

Memorandum 16-086 from Port and Harbor Director as backup.

- M. **Resolution 16-060**, A Resolution of the Homer City Council Electing to Participate in the AMLJIA Loss Control Incentive Program for the City of Homer for the 2015-2016 Policy Year. City Manager/Finance. Recommend adoption.

- N. **Resolution 16-062**, A Resolution of the City Council of Homer, Alaska, Establishing a 2016 Mill Rate of 9.962541 Mills for the Ocean Drive Loop Special Service District. City Manager. Recommend adoption.

The consent agenda was approved by consensus of the Council.

6. VISITORS

- A. Bob Letson, South Peninsula Hospital, 10 minutes.

Bob Letson, Executive Director of South Peninsula Hospital presented information about the hospital's new and expanded services, providers, and systems. He addressed the community benefit of the hospital and provided statistics on outpatient ancillary visits, emergency department visits and inpatient days. Lastly he touched on the FY 2016 financial snapshot and current strategies. He reminded everyone this year is the hospital's 60th anniversary.

B. Asia Freeman and Rita Jo Schulz, Pioneer Avenue Revitalization, 10 minutes.

Asia Freeman presented about the Peony's on Pioneer project and the goal of populating Pioneer with peony gardens to beautify the area, encourage people to linger in the area, and also promote the peony industry. She also commented there will be a guest muralist coming to Homer to work with artists and help collaborate with businesses to host murals at their buildings.

Rita Jo Schultz addressed the growing industry of peony farming in our area. The industry has over 100 farms and is becoming very lucrative. She shared her recent experiences with providing peony's for President Obama's visit to Anchorage at the request of Senator Murkowski and also her visit to Washington DC to provide flowers for Michelle Obama's First Lady's Luncheon that was attended by 1500 people. Ms. Schultz also highlighted the benefits of working with the City to have peonies along Pioneer in that they bloom every year eliminating the need for continual growing and planting of annuals, that the moose won't eat them, and it will help bring recognition to the growing industry of peony farmers in Homer.

7. ANNOUNCEMENTS/PRESENTATIONS/BOROUGH REPORT/COMMISSION REPORTS

A. Mayor's Proclamation Mary Epperson Day - June 6, 2016

Mayor Wythe recognized June 6, 2016 as Mary Epperson day.

B. Borough Report

C. Commissions/Board Reports:

1. Library Advisory Board
2. Homer Advisory Planning Commission
 - a. Minutes of May 4, 2016

D. Economic Development Advisory Commission

Councilmember Smith provided an update on the commission's business.

E. Parks and Recreation Advisory Commission

Robert Archibald provided an update on the commission's business.

F. Port and Harbor Advisory Commission

G. Cannabis Advisory Commission

Councilmember Reynolds reported the Commission's next meeting is Thursday, May 26th.

8. PUBLIC HEARING(S)

- A. **Ordinance 16-22**, An Ordinance of the City Council of Homer, Alaska, Repealing and Reenacting Homer City Code 2.60, Public Arts Committee; Repealing Homer City Code 2.68, Parks and Recreation Advisory Commission; and Amending Homer City Code 18.07.020, Definitions, Homer City Code 18.07.040, Implementation, Homer City Code 18.07.050, Selection, Homer City Code 18.07.070, Exemptions, Homer City Code 18.07.090, Public Art Fund, and Homer City Code 18.07.100, Ownership and Management of Works of Public Art; to Create the City of Homer Parks, Art, Recreation and Culture Advisory Commission, Prescribe its Duties, and Provide for the Transition From the Former Public Arts Committee and Parks and Recreation Advisory Commission to the New Parks, Art, Recreation and Culture Advisory Commission. City Clerk/Parks and Recreation Advisory Commission. Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

Memorandum 16-073 from Parks and Recreation Advisory Commission as backup.

Memorandum 16-074 from Public Arts Committee as backup.

There was one who commented

ADOPTED without discussion.

- B. **Ordinance 16-23**, An Ordinance of the City Council of Homer, Alaska, Repealing Homer City Code, Chapter 6.12, Drug Abuse and Paraphernalia. Reynolds. Introduction May 9, 2016, Public Hearing and Second Reading May 23, 2016.

There was one who commented.

ADOPTED without discussion.

9. ORDINANCE(S)

- A. **Ordinance 16-26**, An Ordinance of the City Council of Homer, Alaska, Amending HCC 1.18.043, Public Disclosure, to Require Elected City Officials to Disclose Each Business in Which an Immediate Family Member is a Partner, Proprietor or Employee. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

INTRODUCED without discussion.

- B. **Ordinance 16-28**, An Ordinance of the City Council of Homer, Alaska, Amending the FY 2016 Operating Budget by Appropriating Funds in the Amount of \$1,000,000 From the Permanent Fund for the Purposes of Funding Improvements to the Fire Hall and Exempting This Expenditure From Homer City Code Chapter 3.12, Which Requires Expenditures for Operation and Maintenance Costs to be Taken From Income From the Income Sub-Fund Unless 60% of City Voters Approve the Expenditure. Smith. Recommended dates: Introduction May 23, 2016, Public Hearing and Second Reading June 13, 2016.

INTRODUCED without discussion.

- C. **Ordinance 16-30**, An Ordinance of the City Council of Homer, Alaska, Authorizing the City to Issue General Obligation Bonds in the Principal Amount of Not to Exceed \$12,000,000 to Finance the Acquisition and Construction of a Police Station and Improvements to the Fire Hall; Amending HCC 9.16.010 to Provide for an Increase in the Rate of the City Sales Tax From 4.5% to 5.5% From April 1 Through September 30, With the Increase Dedicated to Fund Public Safety Operations and Infrastructure, Including Construction of a Police Station and Renovation of a Fire Hall and Submitting the Question of the Issuance of Such Bonds and Such Sales Tax Rate Increase to the Qualified Voters of the City at the October 4, 2016 Regular City Election. Mayor/Council. Recommended dates: Introduction May 23, 2016, Public Hearings June 13 and 27, 2016, and Second Reading June 27, 2016.

Memorandum 16-091 from City Attorney as backup.

INTRODUCED with discussion.

10. CITY MANAGER'S REPORT

- A. City Manager's Report

1. Memorandum 16-088 from Port and Harbor Director, Re: Mid-Year Budget Adjustment for Emergency Deep Water Dock Repairs.

City Manager Koester provided and addressed a laydown memo from Councilmember Lewis addressing noise and disc golf at Jack Gist Park and requesting the Parks and Recreation Advisory Commission address it. Also she advised that the Borough is looking at closing the transfer station one day a week and on holidays. This causes concern to the Harbor because while the dumpsters out there are for vessel garbage, a lot of people take their household trash out there as well. The landfill being closed on certain days raises the concern that the dumpsters will overflow and without the ability to remove the trash it creates a sanitation issue. City Manager Koester said she will communicate the City's concerns with the Borough and may bring a resolution to Council addressing it.

- B. Bid Report

11. CITY ATTORNEY REPORT

12. COMMITTEE REPORT

- A. Public Arts Committee
- B. Employee Committee Report
- C. Public Safety Building Review Committee

Mayor Wythe commented there will be an update at the next meeting.

- D. Americans with Disabilities Act Compliance Committee

13. PENDING BUSINESS

14. NEW BUSINESS

15. RESOLUTIONS

- A. **Resolution 16-054**, A Resolution of the City Council of Homer, Alaska, Amending the City of Homer Fee Schedule to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Recommend Public Hearing on June 13, 2016.

Memorandum 16-084 from Port and Harbor Director as backup.

POSTPONED to the June 13, 2016 regular meeting for Public Hearing.

- B. **Resolution 16-055**, A Resolution of the City Council of Homer, Alaska, Amending the Port of Homer Terminal Tariff No. 600 to Implement a New Graduated Harbor Moorage Rate Structure. Port and Harbor Director/Port and Harbor Advisory Commission. Recommend Public Hearing on June 13, 2016.

Memorandum 16-084 from Port and Harbor Director as backup.

FAILED for lack of a motion.

- C. **Resolution 16-061**, A Resolution of the Homer City Council Establishing the Property Tax Mill Levy Rate at 4.5 for 2016. City Manager.

ADOPTED with discussion.

- D. **Resolution 16-063**, A Resolution of the Homer City Council Maintaining the Water and Sewer Fees at the 2016 Rate and Updating the Homer Fee Schedule Accordingly. City Manager/Finance Director.

POSTPONED with discussion to the June 13, 2016 regular meeting.

16. COMMENTS OF THE AUDIENCE

17. COMMENTS OF THE CITY ATTORNEY

18. COMMENTS OF THE CITY CLERK

Deputy City Clerk Jacobsen had no comments.

19. COMMENTS OF THE CITY MANAGER

City Manager Koester had no comments.

20. COMMENTS OF THE MAYOR

Mayor Wythe encouraged people to attend the events that are going on with the beautification of Pioneer Avenue and help where you can.

21. COMMENTS OF THE CITY COUNCIL

Councilmember Lewis congratulated the soccer teams for their hard work at the Regional Soccer tournaments. He also congratulated the Council for agreeing on everything tonight. That's unusual.

Councilmember Smith noted Mr. Archibald's comments about the dog issue and pitched the slogan "Do your Duty with your Dog's Doodie". He hopes people will do that because it's rather annoying for those who use the parks for other things than their dogs. He also recognized Memorial Day along with those who have served our nation and that they don't go forgotten.

Councilmember Van Dyke commented how blessed and good we are that we have South Peninsula Hospital and thanked everyone who was here talking about the heroin and opioid problem and spearheading programs. It seems we are getting a better handle on it than most of the state and he appreciates that.

Councilmember Reynolds followed up on Councilmember Van Dyke's comments reminding people there is a presentation tomorrow by a visiting specialist whose area of expertise is addiction for young adults. There will be a presentation at the Bidarka from 7:00 to 9:00 p.m.

ADJOURNMENT

There being no further business to come before the Council, Mayor Wythe adjourned the meeting at 7:40 p.m. The next Regular Meeting is Monday, June 13, 2016 at 6:00 p.m., Committee of the Whole 5:00 p.m., and Worksession 4:00 p.m. A Worksession is scheduled for Monday, June 20, 2016 at 5:00 p.m. All meetings scheduled to be held in the City Hall Cowles Council Chambers located at 491 E. Pioneer Avenue, Homer, Alaska.